

Docket No.: B0410/7280D1 PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:

Richard A. Gambale et al.

Examiner:

Not Assigned

Serial No.:

10/768,770

Group Art Unit:

3763

Filed:

January 29, 2004

Conf. No.:

7050

Title:

IMBEDDED INTRAMUSCULAR IMPLANTS

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8(a)

I hereby certify that this correspondence (and any paper or fee referred to as being enclosed) is being deposited with the United States Post Office as First Class Mail on the date indicated in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

8/27/04

Signature

Julie H. Dower

Typed or Printed Name of Person Signing Certificate

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Transmitted herewith for filing is/are the following document(s):

[XX] Preliminary Amendment

[XX] Return postcard

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned collect at (617) 261-3100, Boston, Massachusetts.

Please charge any fees or credits to the account of the undersigned, Deposit Account No. 50-1721, reference 0506765/0068. A duplicate of this sheet is enclosed for accounting purposes.

Respectfull vsubmitte

Jose E. Hersh

Reg. No.: 42,890

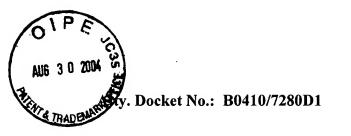
KIRKPATRICK & LOCKHART, LLP

75 State Street

Boston, Massachusetts 02109-1808

Tel.: (617) 261-3100 Customer No.: 022832

DATE: August 27, 2004



ItW

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:

Richard A. Gambale et al.

Examiner:

Not Assigned

Serial No.:

10/768,770

Group Art Unit:

3763

Filed:

January 29, 2004

Conf. No.:

7050

Title:

IMBEDDED INTRAMUSCULAR IMPLANTS

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8(a)

I hereby certify that this correspondence (and any paper or fee referred to as being enclosed) is being deposited with the United States Post Office as First Class Mail on the date indicated in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

8/27/04

Signature

Julic H. Dowly

Date

Typed or Printed Name of Person Signing Certificate

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

PRELIMINARY AMENDMENT

Sir:

This Amendment is supplemental to our filing of January 29, 2004.

Amendments to the Specification begin on page 2 of this paper.

The Listing of the Claims begins on page 3 of this paper. No amendments are made.

Remarks begin on page 8 of this paper.

Please enter the following amendments and remarks.